

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Blake Druzba,

Plaintiff,

- against -

Officer William Spayde et al.,

Defendants.

CIVIL ACTION  
NO. 5:16-cv-02305

FILED  
JUN 21 2017  
KATE BARKMAN, Clerk  
By [Signature] Dep. Clerk

[PROPOSED] ORDER

AND NOW, this 20<sup>th</sup> day of June, 2017, upon consideration of the attached

Stipulation, it is hereby **ORDERED** that the Stipulation is **APPROVED**.

It is so **ORDERED**.

BY THE COURT:

[Signature]  
JEFFREY L. SCHMEHL, J.

mailed to Jareps + e-mailed

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HON. JEFFREY L. SCHMEHL

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**JUN 21 2017**

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By    *lt*    Dep. Clerk

**STIPULATION VACATING CLERK'S ENTRY OF DEFAULT, WITHDRAWING  
MOTION FOR DEFAULT JUDGMENT, AND CONSENTING TO  
THE FILING OF DEFENDANTS' ANSWER**

WHEREAS, on May 12, 2016, plaintiff Blake Druzba ("Plaintiff"), filed the above-captioned Complaint;

WHEREAS, on April 26, 2017, the Clerk of Court entered default as to Defendants Lisa Mitchell and The Kutztown Area Patriot, The Hamburg Area Item, The Berks-Mont News, and Berks-Mont Newspapers Inc.;

WHEREAS, The Kutztown Area Patriot, The Hamburg Area Item, and The Berks-Mont News do not exist as corporate entities;

WHEREAS, 21<sup>st</sup> Century Media Newspaper, LLC is the publisher of The Kutztown Area Patriot, The Hamburg Area Item, and The Berks-Mont News;

WHEREAS, on May 18, 2017, Plaintiff filed a motion for default judgment against Defendants and the Court has not yet issued a decision on Plaintiff's motion;

WHEREAS, the Clerk's entry of default against Defendants should be vacated;  
and

WHEREAS, Plaintiff has chosen to withdraw his motion for default;

NOW, THEREFORE, pursuant to Local Rule 7.4, Plaintiff, Lisa Mitchell, and 21<sup>st</sup> Century Media Newspaper, LLC, through their undersigned counsel, hereby stipulate that:

1. The Clerk's Entries of Default dated April 26, 2017 against Defendants Lisa Mitchell and The Kutztown Area Patriot, The Hamburg Area Item, The Berks-Mont News, and Berks-Mont Newspapers Inc. for failure to plead or otherwise defend is hereby vacated.

2. Plaintiff's Motion for Default Judgment (Document No. 39) is hereby withdrawn.

3. 21<sup>st</sup> Century Media Newspaper, LLC shall be substituted for and replace The Kutztown Area Patriot, The Hamburg Area Item, and The Berks-Mont News in this action.

4. Defendants Lisa Mitchell and 21<sup>st</sup> Century Media Newspaper LLC's time to move to dismiss, answer, or otherwise respond to Plaintiff's Complaint is extended until July 28 2017.

5. This Stipulation may be executed in counterparts and facsimile signatures shall have the same force and effect as originals.

**IT IS SO STIPULATED.**

Dated: June 19, 2017

Dated: June 19, 2017

/s/ Matthew B. Weisberg  
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/s/ Davis S. Bralow  
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*Counsel for Lisa Mitchell and 21<sup>st</sup> Century  
Media Newspaper LLC*